



The Travancore-Cochin Payment of Salaries and Allowances Act, 1951

Act 14 of 1951

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ACT XIV OF 1951 [\[1\]](#)

THE TRAVANCORE-COCHIN PAYMENT OF SALARIES
AND ALLOWANCES ACT.

An Act to provide for the salaries and allowances of Ministers, the Speaker and Deputy Speaker and members of the Legislative Assembly.

Preamble.-Whereas, pursuant to the provisions of Article 164, clause (5), Article 186 and Article 195 of the Constitution of India read with Article, 238 thereof, it is necessary to provide by an Act of the Legislature for the Salaries and allowances of Ministers, of the Speaker and Deputy Speaker of the Legislative Assembly and of the members of the Legislative Assembly.

It is hereby enacted as follows:-

1. *Short title and Commencement.*—(1) This Act may be called the Travancore-Cochin Payment of Salaries and Allowances Act, 1951

(2). Sections 2,3,4,5 and 6 of this Act shall be deemed to have come into force on the 26 th day of January 1950 and the rest of this Act shall come into force at once.

2. *Definitions.*- In this Act,--

(a). “residence” includes the staff-quarters and other buildings appurtenant thereto, and the gardens thereof, and;

(b). “maintenance” in relation to a residence includes the payment of local rates and taxes and the provision of electricity and wa

3. *Salaries, and allowances of Ministers.*-There shall be paid to each Minister a salary of seven hundred rupees per mensem and dearness allowances at such rates as officers of Government drawing a salary of seven hundred rupees per mensem shall be entitled to from time to time.

4. *Salaries and allowances of the Speaker and Deputy Speaker of the Legislative Assembly.*-(1) There shall be paid to the Speaker of the Legislative Assembly a salary of seven hundred rupees per mensem and dearness allowance at such rates as officers of Government drawing a salary of seven hundred rupees per mensem shall be entitled to from time to time.

2. There shall be paid to the Deputy Speaker of the Legislative Assembly a salary of three hundred and fifty rupees per mensem and dearness allowances at such rates as officers of Government drawing a salary of three hundred and fifty rupees per mensem shall be entitled to from time to time.

5. *Residence of Ministers and the Speaker.*-Each Minister and the Speaker of the Legislative Assembly shall be entitled, without payment of rent, to the use of a fully furnished residence in the City of Trivandrum throughout their terms of office and for a period of fifteen days immediately thereafter and no charge shall fall upon the Minister or Speaker personally in respect of the maintenance of the residence, or, in lieu of the use of such furnished residence and its maintenance, to a house-rent allowance of one hundred and fifty rupees per mensem.

6. *Conveyance for the Ministers and the Speaker.*-The Government shall, from time to time, provide suitable conveyances for the use of the Ministers and the Speaker subject to such rules as regards their maintenance and repair as may be made by the Government. The Ministers and the Speaker shall be paid a consolidated sum of one hundred and seventy five rupees per mensem in lieu of the cost of petrol and oil for the conveyances.

Travelling allowances of Ministers etc.—(1) Each Minister shall be entitled, while touring on public business, to travelling and daily allowances at the rates specified in the Schedule and upon such conditions as may be specified by rules made by the Government.

7. *Travelling allowances of the Speaker and the Deputy Speaker.*- (2) The Speaker and the Deputy Speaker shall be entitled to travelling and daily allowances at the rates specified in the Schedule and upon such conditions as may be specified by rules made by the Government.

8. *Allowances of members of the Legislative Assembly.*-(1) Every member of the Legislative Assembly who does not hold any of the offices referred to in Sections 3 and 4 shall be entitled to receive at his option:-

(a). a consolidated allowance of one hundred and twenty rupees per mensem; or

(b). in lieu of such consolidated allowance, travelling and daily allowances for attending the meetings of the Assembly or of any committee thereof at the rates specified in the Schedule and subject to such rules as may be made by the Government.

(2). A member shall be entitled to the allowance referred to in sub-section (1) from the date on which he is declared duly elected or if such declaration is made before the vacancy occurs, from the date of occurrence of the vacancy:

Provided that such allowance shall not be paid until the member has made and subscribed the oath or affirmation prescribed by Article 188 read with Article 238 of the Constitution of India.

9. *Travelling allowance of members.*-The members of the Legislative Assembly shall be entitled to travelling and daily allowances at the rates specified in the Schedule and upon such conditions as may be specified by rules made by the Government.

Provided that nothing in this Section shall authorize a member who receives a consolidated allowance under Section 8 to draw travelling and daily allowances for attending meetings of the Legislative Assembly or of any committee thereof.

10. *Rules*—(1) All rules made under this Act shall be published in the Gazette.

(2). All rules made under this Act shall be laid for not less than seven days before the Legislative Assembly as soon as possible after they are made and shall be subject to such modifications as the Legislative Assembly may make during the session in which they are so laid.

SCHEDULE

I. Ministers and the Speaker.

The Ministers and the Speaker shall be given daily and traveling allowances at the following rates for journeys performed by them:-

(1). Inside the State of Travencore-Cochin—a daily allowance of fifteen rupees when traveling by car, and actual plane fare and daily allowance of fifteen rupees when traveling by air;

(2). Outside the State of Travancore Cochin—when traveling by train, cost of one and a half first class railway fare, when traveling by road, a mileage of one rupees, when traveling by air, actual plane fare plus half first class railway fare and a daily allowance of thirty rupees except in Delhi, Calcutta and Bombay where the rate of daily allowance will be forty-five rupees.

II. *The Deputy Speaker.*—The Deputy Speaker shall, for journeys performed by him, be paid travelling allowance at the same rates as in the case of first class officers of Government, the rate of daily allowance, being however fifteen rupees:

Provided that the Deputy Speaker shall not be entitled to any daily allowance for attending the meetings of the Legislative Assembly or of any committee thereof.

III. *Members of the Legislative Assembly who have opted to receive daily allowance and travelling allowance in lieu of a consolidated, allowance for attending the meetings of the Legislative Assembly.*

For journeys by rail
For journeys by road
Daily allowance

Double first class railway fare
Eight annas per mile
Fifteen rupees

IV. Members of the Legislative Assembly touring on public business shall be given daily allowance and travelling allowance at the rates specified in Paragraph III above.

THE TRAVANCORE-COCHIN PAYMENT OF SALARIES
AND ALLOWANCES (AMENDMENT) ACT, 1952 [\[1\]](#)

Preamble.- Whereas it is deemed necessary to amend the Travancore-Cochin Payment of Salaries and Allowances Act, 1951 (Act XIV of 1951), for the purposes hereinafter appearing;

It is hereby enacted as follows.-

1.*Short title and commencement.*- (1) This Act may be called the Travancore-Cochin Payment of Salaries and Allowances (Amendment) Act, 1952.

(2) It shall be deemed to have come into force on the 27th day of June, 1952.

2.*Amendment of Section 6, Act XIV of 1951.*—In Section 6 of the Travancore-Cochin Payment of Salaries and Allowances Act, 1951 (Act XIV of 1951), hereinafter referred to as the said Act, for the words “one hundred and seventy-five rupees”, the words “two hundred and fifty rupees” shall be substituted.

3.*Substitution of new section for Sections 8 and 9 Act XIV of 1951.*- For Sections 8 and 9 of the said Act, the following section shall be substituted, namely:-

“8. *Allowances of the members of the Legislative Assembly.*- (1) Every member of the Legislative Assembly who does not hold any of the offices referred to in Sections, 3 and 4 shall be entitled to receive—

(a) a fixed allowance of one hundred and twenty rupees per mensem, and

(b) traveling and daily allowances, at the rates specified in the Schedule and upon such conditions as may be specified by rules made by the Government, for attending meetings of the Legislative Assembly or of any Committee thereof or of any Committee or Board constituted by the Government.

(2) The fixed allowance referred to in clause (a) of sub section (1) shall accrue to a member from the date on which he is declared duly elected, or in the case of a member nominated by the Rajpramukh to fill a seat in the Legislative Assembly, from the date on which he is nominated, or if such declaration or nomination, is made before the vacancy occurs, from the date of occurrence of the vacancy:

Provided that the fixed allowance shall not be paid until the member has made and subscribed the oath or affirmation prescribed by Article 188 read with Article 238 of the Constitution of India.”

4. *Amendment of Schedule, Act XIV of 1951.*— For items III and IV and the entries against them in the Schedule to the said Act, the following item and entry shall be substituted, namely.—

“III. *Members of the Legislative Assembly.*

The members of the Legislative Assembly shall be given traveling and daily allowances at the following rates:-

| | |
|----------------------|----------------------------------|
| For journeys by rail | Double first class railway fare. |
| For journeys by road | Eight annas per mile |
| Daily allowance | Ten rupees”. |

ACT V OF 1956

THE TRAVANCORE-COCHIN PAYMENT OF SALARIES AND
ALLOWANCES (AMENDMENT) ACT, 1956 [\[1\]](#)

An Act further to amend the Travancore-Cochin Payment of Salaries and allowances

Act, 1951.

Preamble.- WHEREAS, it is expedient further to amend the Travancore-Cochin Payment of Salaries and Allowances Act, 1951 (Act XIV of 1951), for the purposes hereinafter appearing;

BE it enacted in the Seventh Year of the Republic of India as follows:-

1. *Short title and commencement.*—(1) This Act may be called the Travancore-Cochin Payment of Salaries and Allowances (Amendment) Act, 1956.

2. Section 4 of this Act shall be deemed to have come into force on the 1 st day of April 1955 and the rest of this Act shall come into force at once

2. *Amendment of Section 6, Act XIV of 1951.*-In Section 6 of the Travancore Cochin Payment of Salaries and Allowances Act, 1951 (Act XIV of 1951), hereinafter referred to as the said Act, between the words “the Speaker” and “subject to” the words “throughout their terms of office and for a period of fifteen days immediately thereafter” shall be inserted.

3. *Amendment of Section 7, Act XIV of 1951.*-In Section 7 of the said Act, --

(1). to sub- section (1), the following proviso shall be added, namely:-

“Provided that where a Minister, while on tour, is allowed free board and lodging at the expense of the Government of India or the Government of any State, he shall be entitled, for the days on which he is allowed such free board and lodging, to draw only one-half of the daily allowance admissible to him at the station concerned.”;

(2). to sub section (2), the following proviso shall be added, namely:-

“Provided that where the speaker, while on tour, is allowed free board and lodging at the expense of the Government of India or the Government of any State, he shall be entitled for the days on which he is allowed such free board and lodging, to draw only one-half of the daily allowance admissible to him at the station concerned.”

4. *Amendment of Schedule to Act XIV of 1951.*—In the Schedule to the said Act,--

in item I, in clause (2), for the words “cost of one and a half first-class railway fare”, the words “cost of one first-class railway fare plus two annas per mile” and for the words “actual plane fare plus half first class railway fare”, the words “actual plane fare plus two annas per mile by the shortest rail route” shall be substituted.

in item III, for the words “Double first class railway fare”, the words “Cost of one first class railway fare plus two annas per mile” shall be substituted.

(5). *Validation of payment of certain allowances.*—A Minister, the Speaker, the Deputy Speaker, or a Member of the Legislative Assembly entitled to receive traveling allowance in respect of any journey performed by him by a railway before the 1 st day of April 1955, shall notwithstanding the abolition of first class accommodation on such railway, be entitled and be deemed always to have been entitled to receive traveling allowance in respect of such journey at the rates admissible to him in accordance with the law then in force, as if the first-class accommodation had not been abolished on such railway and as if he had in fact traveled by first class and accordingly the payment of any traveling allowance to him in respect of such journey at the aforesaid rates shall be deemed to have been validly made and shall not be called in question by any authority on the ground only that the first-class accommodation had been abolished on such railway and that he had not in fact traveled by first class.

ACT 4 OF 1957

THE PAYMENT OF SALARIES AND ALLOWANCES

(AMENDMENT) ACT, 1957 [\[1\]](#)

AN

ACT

to amend the Payment of Salaries and Allowances Act, 1951.

Preamble.—WHEREAS, it is expedient to amend the Payment of Salaries and Allowances Act, 1951, for the purposes hereinafter appearing;

BE it enacted in the Eighth Year of the Republic of India as follows:-

1. *Short title and commencement.*—This Act may be called the Payment of Salaries and Allowances (Amendment) Act, 1957 and it shall come into force at once.

2. *Amendment of section 3.*—In section 3 of the Payment of Salaries and Allowances Act, 1951 (XIV of 1951), hereinafter referred to as the principal Act, for the words “seven hundred rupees” in the two places where they occur, the words “five hundred rupees” shall be substituted.

3. *Amendment of section 4.*—In section 4 of the principal Act.-

(i). in sub-section (1), for the word “seven hundred rupees” in the two places where they occur, the words “five hundred rupees” shall be substituted;

(ii). in sub-section (2), for the words “three hundred and fifty rupees” in the two places where they occur, the words “two hundred and fifty rupees” shall be substituted.

4. *Amendment of section 6.*—In section 6 of the principal Act, for the last sentence beginning with “The Ministers and the Speaker” and ending with “petrol and oil for the conveyances”, the following shall be substituted, namely:-

“The Ministers and the Speaker shall be paid a consolidated sum of one hundred rupees per mensem in lieu of the cost of petrol and oil for the conveyances for journeys performed within the City of Trivandrum and a radius of five miles thereof”.

5. *Amendment of section 7.*—In section 7 of the principal Act, in sub-section (1), after the existing proviso the following further proviso shall be added, namely:-

“Provided further that the Ministers and the Speaker shall not be entitled to any traveling and daily allowances for journeys performed within the City of Trivandrum and a radius of five miles thereof”

6. *Amendment of Schedule.*—In the Schedule to the principal Act, for item 1, the following shall be substituted namely:—

“1. *Ministers and the Speaker.*

The Ministers and the Speaker shall be given daily and traveling allowances at the following rates for journeys performed by them:--

(1). inside the State of Kerala—

(a). for the journeys by road—at the rate of twenty-five *naye paise* per mile subject to a minimum of fifteen rupees per day:

Provided that when such journey is not performed in cars owned by the Government the rate shall be fifty *naye paise* per mile subject to the minimum specified above;

(b). a daily allowance of fifteen rupees for halts;

(c). for journeys by train-actual fare (first class or air conditioned) *plus* six *naye paise* per mile for incidental expenses;

(d). for journeys by air-actual fare *plus* one-fifth the fare for incidental expenses;

2. outside the State of Kerala—

(a). for journeys by road at the rate of twenty-five *naye paise* per mile:

Provided that when such journeys is not performed in cars owned by the Government the rate shall be fifty *naye paise* per mile;

(b). a daily allowance of twenty-five rupees;

(c). for journeys by train or by air-the rates will be the same as those admissible for journeys performed by train or by air, as the case may be, inside the State of Kerala.”

ACT 13 OF 2003

**THE PAYMENT OF SALARIES AND ALLOWANCES
(AMENDMENT) ACT, 2003 [\[1\]](#)**

An Act further to amend the Payment of Salaries and Allowances Act, 1951.

Preamble.--WHEREAS it is expedient further to amend the Payment of Salaries and Allowances Act, 1951, for the purposes hereinafter appearing;

BE it enacted in the Fifty-fourth Year of the Republic of India as follows:-

1. *Short title and commencement.*--(1) This Act may be called the Payment of Salaries and Allowances (Amendment) Act, 2003.

(2) It shall be deemed to have come into force on the 1st day of July, 2003.

2. *Amendment of section 3.*--In the Payment of Salaries and Allowances Act, 1951 (XIV of 1951) (hereinafter referred to as the principal Act), in section 3, the following shall be added at the end, namely:-

"and a constituency allowance of two thousand and five hundred rupees per mensem".

3. *Amendment of section 4.*--In the principal Act, in section 4, the following shall be added at the end, namely:-

"and a constituency allowance of two thousand and five hundred rupees per mensem".

4. *Amendment of section 6.*--In sub-section (2) of section 6 of the principal Act, for the words "one thousand eight hundred and fifty rupees", the words "five thousand rupees" shall be substituted.

5. *Amendment of section 8.*--In section 8 of the principal Act, in sub-section (1),-

(i) in clause (aa), for the words "rupees two thousand and five hundred", the words

"rupees three thousand and five hundred" shall be substituted;

(ii) in the proviso to clause (b), for the words "four thousand and five hundred

rupees", the words "seven thousand and five hundred rupees" shall be substituted.

6. *Amendment of section 8A.*--In section 8A of the principal Act, in sub-section (5), for the words "three thousand rupees", the words "four thousand rupees" shall be substituted.

7. *Amendment of section 9A.*- In section 9A of the principal Act,-

(i) for the marginal heading and sub-section (1), the following shall be substituted, namely:-

"9A. Free transit coupons for members of the Legislative Assembly.-(1) Subject to such rules as may be made in this behalf, every member of the Legislative Assembly, other than the Speaker, the Deputy Speaker, the Leader of Opposition, the Chief Whip and the Ministers shall, at the option of such member, be provided with all or any of the following free transit coupons of an aggregate value of fifty four thousand rupees for a period of twelve calendar months , namely:-

(i) rail travel coupons for travel by such member by rail; and

(ii) fuel coupons for the purchase of fuel for the travel of such member in

a private vehicle:

Provided that it shall be lawful for the Government to enhance, by order, from time to time, the aforesaid amount of free transit coupons proportionate to the periodical increase in rail charges made by the Central Government."

(ii) sub-section (3) shall be omitted.

8. *Amendment of the Schedule.*--In the Schedule to the principal Act,-

(1) in paragraph I,-

(a) in item (1),-

(i) in sub-item (a),

for the words, "rupees four per kilometre subject to a

minimum

of seventy-five rupees per day", the words, "rupees six per

kilometre

subject to a minimum of seventy-five rupees per day plus

fifty

paise per kilometre towards incidental expenses for journeys

undertaken

in Government vehicle" shall be substituted;

(ii) in sub-item (b),
for the words "three hundred rupees", the words "five
hundred
rupees" shall be substituted;

(iii) in sub-item (c), for
the words "twenty-five paise", the words "fifty
paise"
shall be substituted;

(b) in item (2),-
(i) in sub-item (a),
for the words, "rupees four per kilometre" the words
"rupees six
per kilometre plus fifty paise per kilometre towards
incidental
expenses for journeys undertaken in Government vehicle"
shall be
substituted;

(ii) in sub-item (b),
for the words "three hundred rupees" the words "five
hundred
rupees" shall be substituted.

(2) in paragraph III,--

(a) in item (1), for the words, "rupees two and paise fifty" and "two hundred rupees", the words, "rupees four" and "four hundred rupees" shall, respectively, be substituted;

(b) in item (2), for the words "rupees two and paise fifty" and "two hundred rupees", the words, "rupees four" and "four hundred rupees" shall, respectively, be substituted.

ACT 25 OF 2008
THE PAYMENT OF SALARIES AND ALLOWANCES
(AMENDMENT) ACT, 2008

An Act further to amend the Payment of Salaries and Allowances Act, 1951.

Preamble.- WHEREAS, it is expedient further to amend the Payment of Salaries and Allowances Act, 1951 for the purposes hereinafter appearing;

BE it enacted in the Fifty-ninth Year of the Republic of India as follows:-

1. *Short title and commencement.*- (1) This Act may be called the Payment of Salaries and Allowances (Amendment) Act, 2008.

(2) It shall come into force at once.

2. *Amendment of section 3.*- In the Payment of Salaries and Allowances Act, 1951 (XIV of 1951) (hereinafter referred to as the principal Act), in section 3, for the words “two thousand and five hundred rupees”, the words “seven thousand and five hundred rupees” shall be substituted.

3. *Amendment of section 4.*- In section 4 of the principal Act, for the words “two thousand and five hundred rupees”, the words “seven thousand and five hundred rupees” shall be substituted.

4. *Amendment of section 7.*- In section 7 of the principal Act.-

- (i) in sub-section (1), for the words “travelling and daily allowances”, the words “travelling allowances, incidental expenses and daily allowances” shall be substituted;
- (ii) in sub-section (2), for the words “travelling and daily allowances”, the words “travelling allowances, incidental expenses and daily allowances” shall be substituted.;
- (iii) in sub-section (3), for the words “travelling and daily allowances”, the words “travelling allowances, incidental expenses and daily allowances” shall be substituted;
- (iv) in sub-section (4), for the words “travelling and daily allowances”, the words “travelling allowances, incidental expenses and daily allowances” shall be substituted.

5. *Amendment of section 8.*- In section 8 of the principal Act, in sub-section (1),-

- (i) in clause (aa), for the words “rupees three thousand and five hundred”, the words “rupees five thousand” shall be substituted;

- (ii) in the proviso to clause (b), for the words “seven thousand five hundred rupees”, the words “ten thousand rupees” shall be substituted.

6. *Amendment of section 8A.*- In section 8A of the principal Act, in sub-section (5), for the words “four thousand rupees”, the words “five thousand rupees” shall be substituted.

7. *Amendment of section 9A.*- In section 9A of the principal Act,-

- (i) in sub-section (1), for the words “fifty four thousand rupees”, the words “one lakh twenty thousand rupees” shall be substituted.
- (ii) In the proviso to sub-section (1), for the words “proportionate to the periodical increase in rail charges made by the Central Government”, the words “considering the the periodical increase in rail charges or hike in the price of petrol/ diesel” shall be substituted.

8. *Substitution of the Schedule.*- For the Schedule to the principal Act, the following Schedule shall be substituted, namely:-

“SCHEDULE

I. *Ministers, the Speaker, the Deputy Speaker, the Leader of Opposition and the Chief Whip.*- The Ministers, the Speaker, the Deputy Speaker, the Leader of Opposition and the Chief Whip shall be given travelling allowances, incidental expenses and daily allowances at the following rates for journeys performed by them:-

(1) Inside the State of Kerala.-

- (a) for journeys by road irrespective of the distance travelled at the rate of rupees eight per kilometre plus fifty paise per kilometre towards incidental expenses for journeys undertaken in Government vehicles, hired vehicles or own vehicle;
- (b) for journeys by road, irrespective of the distance travelled, at the rate of fifty paise per kilometre, towards incidental expenses if undertaken, in Guest House vehicle/Department vehicle;
- (c) a daily allowance of six hundred rupees for halts;
- (d) for journeys by train – actual fare (first class or air-conditioned) plus fifty paise per kilometre towards incidental expenses;
- (e) for journeys by air – actual fare plus one fifth the fare for incidental expenses; subject to a maximum of rupees one hundred and twenty-five for each journey.

(2) Outside the State of Kerala.-

- (a) for journeys by road irrespective of the distance travelled at the rate of rupees eight per kilometre plus fifty paise per kilometre towards incidental expenses for journeys undertaken in Government vehicles, hired vehicles or own vehicle;
- (b) for journeys by road, irrespective of the distance travelled, at the rate of fifty paise per kilometre, towards incidental expenses if undertaken, in Guest House vehicle/Department vehicle;
- (c) a daily allowance of seven hundred rupees;
- (d) for journeys by train or by air – the rates will be the same as those admissible for journeys performed by train or by air, as the case may be, inside the State of Kerala.

II. *Members of the Legislative Assembly.*- The Members of the Legislative Assembly shall be given travelling allowances and daily allowances at the following rates:-

(1) Inside the State of Kerala.-

- (a) for journeys by road irrespective of the distance travelled at the rate of rupees six per kilometre;
- (b) a daily allowance of five hundred rupees.

(2) Outside the State of Kerala.-

- (a) for journeys by train – cost of one first class/second class air conditioned railway fare plus twenty-five paise per kilometre;
- (b) for journeys by road irrespective of the distance travelled – at the rate of rupees four per kilometre;
- (c) daily allowance of six hundred rupees.”.

FINANCIAL MEMORANDUM

Clauses 2 and 3 of the Bill seeks to enhance constituency allowance to the Ministers, the Speaker, the Deputy Speaker, the Leader of Opposition and the Chief Whip from the rate of two thousand and five hundred rupees to seven thousand and five hundred rupees per month.

Clause 5 (i) of the Bill seeks to enhance the constituency allowance of Members of Legislative Assembly from three thousand and five hundred rupees to five thousand rupees.

Clause 5 (ii) of the Bill seeks to enhance the minimum travelling allowance from seven thousand five hundred rupees to ten thousand rupees per month.

Clause 6 of the Bill seeks to enhance the telephone allowance to the Members of Legislative Assembly from four thousand rupees to five thousand rupees.

Clause 7 of the Bill seeks to enhance the value of free transit coupons for Members of the Legislative Assembly from fifty four thousand rupees to one lakh twenty thousand rupees.

Clause 8 of the Bill seeks to enhance the travelling Allowances of the Ministers, the Speaker, the Deputy Speaker, the Leader of Opposition and the Chief Whip for road journey from six rupees to eight rupees per kilometre and Daily Allowance from the existing rate to six hundred rupees inside the State and seven hundred rupees outside the State. It also seeks to enhance the daily allowances of Members of

Legislative Assembly from four hundred rupees to five hundred rupees and six hundred rupees inside and outside the State respectively and Travelling Allowance from four rupees per kilometre to six rupees per kilometre.

Due to the enhancement of monthly allowances proposed, an additional expenditure of eighty-four lakh rupees will be incurred from the Consolidated Fund of the State. The additional expenditure incurred due to the hike in the allowances for journey inside and outside the State cannot be estimated with accuracy at this stage.

M. VIJAYAKUMAR.

THE KERALA PAYMENT OF PENSION TO MEMBERS OF LEGISLATURE (AMENDMENT) BILL, 2008

A BILL

further to amend the Kerala Payment of Pension to Members of Legislature (Amendment) Act, 1976.

Preamble.- WHEREAS, it is expedient further to amend the Kerala Payment of Pension to Members of Legislature (Amendment) Act, 1976 for the purposes hereinafter appearing;

BE it enacted in the Fifty-ninth Year of the Republic of India as follows:-

1. *Short title and commencement.*- (1) This Act may be called the Kerala Payment of Pension to Members of Legislature (Amendment) Act, 2008.

(2) Save as otherwise provided in this Act, it shall come into force at once.

2. *Amendment of section 2.*- In section 2 of the Kerala Payment of Pension to Members of Legislature (Amendment) Act, 1976 (46 of 1976) (hereinafter referred to as the principal Act).-

(1) in sub-section (1E),-

- (a) in the opening paragraph, for the words "the minor son or the unmarried daughter or both", the words "the minor son or the unmarried daughter or the mentally retarded son or daughter or all of them together" shall be substituted;
- (b) in clause (i), after the words "twenty-five years", the words "or he starts earning his livelihood, whichever is earlier" shall be inserted;
- (c) in clause (ii), after the words "she gets married", the words "or she starts earning her livelihood" shall be inserted;
- (d) after clause (ii), the following clause shall be inserted, namely:-
"(ia) in the case of mentally retarded son or daughter, without considering age."

(2) after sub-section (3), the following Note shall be inserted, namely:-

"Note: This sub-section shall be deemed to have come into force on the 14th day of May, 1996."

3. *Insertion of new section 2B.*- In the principal Act, after section 2A, the following section shall be inserted, namely:-

"2B. *Free Transit Coupons for ex-Members of the Legislative Assembly.*- (1) Subject to such rules as may be made in this behalf, any person, who has served as a member referred to in clause (i) or clause (ii) or clause (iii) of sub-section (1) of section 2 shall, at the option of such ex-Member, be provided with all or any of the following free transit coupons of an aggregate value of twelve thousand rupees for a period of twelve calendar months, namely:-

- (i) rail travel coupons for travel by such ex-member by rail; and
- (ii) fuel coupons for the purchase of fuel for the travel of such ex-member in a private vehicle:

Provided that it shall be lawful for the Government to enhance, by order, from time to time, the aforesaid amount of free transit coupons proportionate to the periodical increase in rail charges made by the Central Government.

(2) Subject to such rules as may be made in this behalf every ex-member shall be entitled to utilise such rail travel coupons for the travel by such ex-member and his or her spouse and one companion in any class by any railway in India."

4. *Amendment of the Schedule.*- In the principal Act, for the Schedule, the following Schedule shall be substituted, namely:-

"SCHEDULE

[See section 2 (1)]

Rate of Pension

| <i>Period</i> | <i>Rate of pension per mensem</i> |
|----------------------------------|-----------------------------------|
| For any period below two years | Rs. 4000 |
| For two years in the aggregate | Rs. 4500 |
| For three years in the aggregate | Rs. 5000 |
| For four years in the aggregate | Rs. 5500 |
| For five years in the aggregate | Rs. 6000 |

Provided that where any person has served as a member as stated in sub-section (1) of section 2 for a period exceeding five years, there shall be paid to him an additional pension of five hundred rupees per mensem for every year in excess of five years:

Provided further that in calculating the net qualifying period for pension, fraction of half year and above shall be rounded to the next completed year:

Provided also that the maximum pension to which a member is eligible under this Act shall not, in the aggregate, exceed rupees twenty thousand per mensem.

STATEMENT OF OBJECTS AND REASONS

The last revision of pension to the Ex-Members of the Kerala Legislative Assembly was made in the year 2005 by Act 44 of 2005. The rate of pension has to be enhanced due to the increase in price of commodities and other charges.

As per sub-section (1E) of section 2 of the Kerala Payment of Pension to Members of Legislature (Amendment) Act, 1976 (46 of 1976), the minor son or unmarried daughter or both, as the case may be, of the member shall be entitled to a family pension from the date of death of the spouse subject to the following conditions, namely:-

- (i) in the case of minor son, until he attains the age of twenty five years;**
- (ii) in the case of unmarried daughter, until she attains the age of twenty five years or she gets married which ever is earlier.**

But there is an ambiguity regarding payment of pension to a son/daughter, who has started earning his/her livelihood before attaining the age of twenty five years. Payment of pension to such persons has to be avoided. This has to be clarified. Government have decided to extend the benefit of family pension to the mentally retarded son/daughter without considering their age. Government have also proposed to give retrospective effect to sub-section (3) of section 2 of the Payment of Pension to Members of Legislature (Amendment) Act, 1976 as amended by Act 44 of 2005 with effect from 14th May, 1996. Government have also decided to introduce free transit coupons to Ex-Members of Legislative Assembly of an aggregate value of twelve thousand rupees for a period of twelve calendar months.

Further it is decided to enhance the minimum pension of the Ex-Members of Legislative Assembly from the existing rate of two thousand and five hundred rupees to four thousand and five hundred rupees to the rate of four thousand rupees to six thousand rupees and the maximum pension from seventeen thousand and five hundred rupees to twenty thousand rupees per mensem.

The Bill seeks to amend the Payment of Pension to Members of Legislature (Amendment) Act, 1976 to achieve the above object.

FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to introduce free transit coupons of an aggregate value of twelve thousand rupees for a period of twelve calendar months to the Ex-Members of Legislative Assembly.

In clause 4 of the Bill seeks to enhance the minimum pension of the Ex-Members of Legislative Assembly from the existing rate of two thousand and five hundred rupees to four thousand and five hundred rupees to the rate of four thousand rupees to six thousand rupees and the maximum pension from seventeen thousand and five hundred rupees to twenty thousand rupees per mensem.

The Bill if enacted and brought into operation would involve a fairly substantial amount of expenditure of a recurring nature, for its implementation. The actual expenditure that may have to be incurred on this account from the Consolidated Fund of the State cannot be estimated with any reasonable degree of the accuracy at this stage.

MEMORANDUM REGARDING DELIGATED LEGISLATION

The section 2B of the Act proposed to be inserted by clause 3 of the Bill seeks to empower the Government to make such rules prescribing free transit coupons and the method of utilization of such coupons for rail travel for Ex-members of the Legislative Assembly. The above matter is of routine or administrative nature. The delegation of legislative power is, thus of a normal character.

M. VIJAYAKUMAR.

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കേരള സർക്കാർ
2012



Reg. No. രജി. നമ്പർ
KL/TV(N)/12/12-14

KERALA GAZETTE

കേരള ഗസറ്റ്

EXTRAORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

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| | | 1934 ചൈത്രം 13 | |

GOVERNMENT OF KERALA

Law (Legislation-I) Department

NOTIFICATION

No. 20495/Leg. I 2/2011/Law. Dated, Thiruvananthapuram, 2nd April, 2012
13th Chaithra, 1934.

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 1st day of April, 2012.

By order of the Governor,

C. K. PADMAKARAN,
Special Secretary (Law).

ACT 3 OF 2012

THE PAYMENT OF SALARIES AND ALLOWANCES
(AMENDMENT) ACT, 2012

An Act further to amend the Payment of Salaries and Allowances Act, 1951.

Preamble.—WHEREAS, it is expedient further to amend the Payment of Salaries and Allowances Act, 1951 for the purpose hereinafter appearing;

BE, it enacted in the Sixty-third Year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Payment of Salaries and Allowances (Amendment) Act, 2012.

(2) It shall come into force at once.

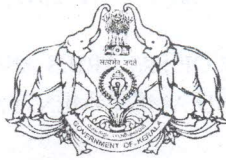
2. *Amendment of Section 8A.*—In section 8A of the Payment of Salaries and Allowances Act, 1951 (XIV of 1951),—

(1) in sub-section (6), for the words “not above the rank of a Selection Grade Assistant in the Government Secretariat and”, the words, “below the rank equivalent to an Under Secretary to the Government and,” shall be substituted.

(2) after sub-section (6), the following proviso shall be inserted, namely:—

Provided that such an officer may be allowed to continue in the service of the member even after his promotion to the rank equivalent to an Under Secretary to Government and above.”

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2012



Reg. No. രജി. നമ്പർ
KL/TV(N)/12/12-14

KERALA GAZETTE

കേരള ഗസറ്റ്
EXTRAORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്

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| | തിരുവനന്തപുരം, തിങ്കൾ | 13th Chaithra 1934 1934 ചൈത്രം 13 | | |

GOVERNMENT OF KERALA

Law (Legislation-I) Department

NOTIFICATION

No. 21484/Leg. I/2011/Law. Dated, Thiruvananthapuram, 2nd April, 2012
13th Chaithra, 1934.

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 1st day of April, 2012.

By order of the Governor,

C. K. PADMAKARAN,
Special Secretary (Law).

ACT 4 OF 2012

THE PAYMENT OF SALARIES AND ALLOWANCES
(SECOND AMENDMENT) ACT, 2012

An Act further to amend the Payment of Salaries and Allowances Act, 1951.

Preamble.—WHEREAS, it is expedient further to amend the Payment of Salaries and Allowances Act, 1951 for the purposes hereinafter appearing;

BE, it enacted in the Sixty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Payment of Salaries and Allowances (Second Amendment) Act, 2012.

(2) It shall come into force at once.

2. *Amendment of section 3.*—In the Payment of Salaries and Allowances Act, 1951 (XIV of 1951) (hereinafter referred to as the principal Act), in section 3, for the words “seven thousand and five hundred rupees”, the words “twelve thousand rupees” shall be substituted.

3. *Amendment of section 4.*—In section 4 of the principal Act, for the words, “seven thousand and five hundred rupees”, the words “twelve thousand rupees” shall be substituted.

4. *Amendment of section 5C.*—In section 5C of the principal Act, for the words, “two lakhs rupees”, the words “five lakhs rupees” shall be substituted.

5. *Amendment of section 6.*—In section 6 of the principal Act, in sub-section (2), for the words, “five thousand rupees”, the words, “ten thousand and five hundred rupees” shall be substituted.

6. *Amendment of section 8.*—In section 8 of the principal Act, in sub-section (1),—

(1) in clause (a), for the words “three hundred rupees”, the words, “one thousand rupees” shall be substituted;

(2) in clause (aa), for the words “rupees five thousand”, the words “rupees twelve thousand” shall be substituted;

(3) in the proviso to clause (b), for the words “ten thousand rupees”, the words “fifteen thousand rupees” shall be substituted.

7. *Amendment of section 8A.*—In section 8A of the principal Act,—

(1) in sub-section (5), for the words “five thousand rupees”, the words, “seven thousand and five hundred rupees” shall be substituted.

(2) after sub-section (5), the following sub-sections shall be inserted, namely :—

“(5A) Every member referred to in sub-section (3) shall be entitled to an information allowance of one thousand rupees per mensem and a sumptuary allowance of rupees three thousand per mensem;

(5B) Subject to such rules as may be made in this behalf, an amount of rupees seven thousand and five hundred per mensem shall be paid directly by the Legislature Secretariat to each of the two staff of every member referred to in sub-section (3) as staff allowance.”.

8. *Insertion of new section 8B.*—After section 8A of the principal Act, the following section shall be inserted, namely :—

“8B. *Vehicle advance and house building advance.*—Subject to such rules as may be made in this behalf, every member, other than the Speaker, the Deputy Speaker, the Leader of Opposition, the Chief Whip and the Ministers shall be entitled to avail interest free vehicle advance upto rupees five lakhs and house building advance up to rupees ten lakhs at a reduced rate of interest.”

9. *Amendment of section 9A.*—In section 9A of the principal Act, in sub-section (1), for the words, “one lakh twenty thousand rupees”, the words, “two lakh rupees” shall be substituted.

10. *Amendment of the Schedule.*—In the Schedule to the principal Act,—

(1) In item I,—

(a) in sub-item (1),—

(i) in clause (a), for the words, “rupees eight per kilometre” the words, “rupees ten per kilometre” shall be substituted;

(ii) in clause (c), for the words, “rupees six hundred”, the words, “rupees seven hundred and fifty” shall be substituted ;

(b) in sub-item (2),—

(i) in clause (a), for the words, “rupees eight per kilometre” the words, “rupees ten per kilometre” shall be substituted ;

(ii) in clause (c), for the words, “seven hundred rupees”, the words, “nine hundred rupees” shall be substituted.

(2) In item II,—

(a) in sub-item (1),—

(i) in clause (a), for the words, “rupees six per kilometre” the words, “rupees seven per kilometre” shall be substituted ;

(ii) in clause (b), for the words, “five hundred rupees”, the words, “seven hundred and fifty rupees” shall be substituted ;

(b) in sub-item (2),—

(i) in clause (b), for the words, “rupees four per kilometre” the words, “rupees six per kilometre” shall be substituted ;

(ii) in clause (c), for the words, “six hundred rupees”, the words, “nine hundred rupees” shall be substituted.